

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – September 15, 2005**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley *(voting on items 1-98)*

**Members:** Henry P. Szymanski *(voting on items 1-98)*  
Scott R. Winkler *(voting on items 1-74, 76-98)*  
Catherine M. Doyle *(voting on items 1-98)*  
Donald Jackson *(voting on items 1-98)*

**Alt. Board Members:** Georgia M. Cameron *(voting on items 75)*  
Leni M. Siker *(present on items 60-98)*

START TIME: 4:09p.m.

End Time: 8:05p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24558 Special Use	Bell Therapy/ Belwood Ltd., Property Owner  Request to continue occupying the premises as a community based residential facility (CBRF) and increase the number of clients served from 46 to 50.  Action: Dismissed  Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	839 N. 27th St. A/K/A 837 N 27th St 4th Dist.
2	26727 Dimensional Variance	3901 N. Richards LLC, Property Owner  Request to erect a freestanding sign on the premises that exceeds the maximum allowable sign height.  Action: Dismissed  Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3901 N. Richards St. 6th Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
3	26817 Use Variance	Santino L. Bando, Prospective Buyer  Request to convert the vacant warehouse into a multi-family residential dwelling (loft apartments).	141 W. Vine St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	26487 Special Use	Wendell J. Harris, Lessee  Request to occupy the premises as a community living arrangement for 8 males (10 yrs - 17 yrs).	3134 N. 16th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	26281 Dimensional Variance	Mark LaLonde, LaLonde II LLC.;Property Owner  Request to allow an off-premise sign that is over the maximum sign area allowed and within 200ft. of another off-premise sign.	2929 S. Chase Av. A/K/A 148 W. Dewey Pl. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	26902 Special Use	WI. Department, Health & Family Services c/o Richard Demarse, DMT;Lessee  Request to continue occupying the premises as a social service facility (office for health and social services).	1730 W. North Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
7	26810 Use Variance	Laverne S. Davis, Property Owner  Request to occupy a portion of the premises (unit #1) as a day care center for 5 children infant to 12 yrs of age, Monday-Friday 6:00 AM - midnight.	7123 W. Hampton Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	26832 Special Use	Mitchell Inc., Property Owner  Request to occupy the premises as a parking lot (surface lot will continue to provide on site parking for the building on site and will also be used in a semi-public capacity).	795 N. Van Buren St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping plans meeting the intent of city code section 295-405 for Type 'A' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	26511 Special Use	Patricia Hilliard, Jordan Early Childhood Academy, LLC.; Lessee	3410 W. Mc Kinley Bl. 4th Dist.
		Request to occupy the premises as a day care center for 50 children, infant - 12yrs. of age, 6:00 a.m. - 12:30 a.m. Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
10	26909 Special Use	Delphi House, Inc., Property Owner  Request to continue occupying the premises as a community center (after school program).	1113 N. 21st St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	
11	26946 Special Use	Tina Kambouris, Lessee  Request to continue occupying the premises as a sit-down restaurant.	1014 N. Van Buren St. A/K/A 1008 N Van Buren St 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
12	26733 Special Use	Maksim Tuzhilkov, Property Owner  Request to continue occupying the premises as a salvage yard with used part sales and with the addition of a motor vehicle repair facility on the premises.	11840 W. Hampton Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain the site and site improvements (including but not limited to landscaping, screening and fencing) in a manner that meets the intent of the conditions stated in the stipulation and order for dismissal of Milwaukee County Circuit Court case # 95-CV-008352 filed April 30, 1996.</li> <li>5. That stockpiles not exceed the height of the fence.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
13	26918 Special Use	Joe & Carrie Turner, Property Owner  Request to continue occupying the premises as community living arrangement for 8 adults (continuation of existing operation since 1995).	7762-64 W. Potomac Av. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 26, 2009.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	26792 Special Use	Marcus Reed & Antonio Anderson Lessee	3265 N. Holton St. 6th Dist.
		Request to occupy the premises as a fast-food/carry-out restaurant.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

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15	26881 Special Use	Louise Williams, Lula's Joyful Development Childcare, Inc.; Lessee  Request to amend the number of children from 28 to 19 and continue occupying the premises as a day care center for children infant to 10 yrs. of age, 6:30 a.m. - 6:30 p.m. Monday thru Friday.	323 E. Garfield Av. A/K/A 325 E Garfield Av 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	



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16	26904 Special Use	Mount Zion Baptist Church, Property Owner  Request to continue occupying the premises as a social service facility(neighborhood resource center).	2222 N. 2nd St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Second by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.  5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
17	26915 Special Use	Wendell J. Harris, Lessee  Request to occupy a portion of the premises as social service facility (job & life skills training).	2821 N. 4th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	26923 Dimensional Variance	Brian T. Delorenzo, Prospective Buyer  Request to construct a single-family residential dwelling on the premises without the minimum front facade width for a 50 ft. wide lot.	2018 N. 2nd St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	26845 Dimensional Variance	Raymond Davis, Property Owner  Request to continue occupying the premises as a religious assembly without the minimum required parking.	3824 W. Burleigh St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	
20	26921 Special Use	Lukie Christie, Property Owner  Request to continue occupying the premises as a community based residential facility with 8 developmental disabled and chronically mentally ill clients(CBRF).	3214 N. 39th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	26953 Special Use	Adriane Wade, Property Owner  Request to continue occupying the premises as a community living arrangement for 8 adults (55 yrs. and older).	3144-46 N. 47th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	
22	26868 Dimensional Variance	Walter J. Burks, Prospective Buyer  Request to construct a single-family residential dwelling without the minimum front and rear setbacks.	4647 W. Scranton Pl. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
23	26848 Use Variance	Carey Tradewell Monreal, Property Owner  Request to continue occupying the premises as an emergency residential shelter facility for 25 residents.  Action: Granted 5 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	923 S. 24th St. 8th Dist.
24	26893 Dimensional Variance	Nadia C. Castro & Oscar Espana Property Owner  Request to allow a detached garage on the premises without the minimum required side setback (eave is within .3 ft. and sidewall within 1.3 of property line).  Action: Granted  Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	2319 W. Rogers St. 8th Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
25	26891 Special Use	David Abbil, Property Owner  Request to continue occupying the premises as a community based residential facility for 20 residents (elderly).	7716 W. Wabash Ct. A/K/A 7700 W. Wabash Ct. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
26	26897 Use Variance	Flint Hills Resources, LP, Property Owner  Request to renovate (upgrading & adding truck loading rack) the existing storage facility and continue occupying the premises as an outdoor storage facility of hazardous materials (petroleum storage and fuel loading terminal).	9343 N. 107th St. 9th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on August 8, 2005.</li> <li>5. That this Variance is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

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27	26952 Dimensional Variance	Patricia Saffold, Lessee  Request to continue occupying the premises as a religious assembly without the minimum required parking.	6151 N. Sherman Bl. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
28	26967 Special Use	Priya Corp, Andy Khullar;Prospective Buyer  Request to occupy the premises as a motor vehicle filling station with a convenience store, car wash, offices and fast-food/ carryout restaurant.	8200 W. Brown Deer Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That revised landscaping and screening plans which meet the Type A landscaping requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



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29	26722 Special Use	Roman Electric Co., Lessee  Request to continue occupying a portion of the premises as a contractor's yard (outdoor vehicle storage).	7025 W. Main St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
30	26872 Use Variance	Didacus Udeoji, Property Owner  Request to occupy the premises as a general retail establishment (home medical supplies, i.e. wheel chair's, diabetic supplies, etc.).	6633 W. Burleigh St. A/K/A 6635 W Burleigh St 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	26968 Special Use	Housing Authority, Other  Request to occupy the premises as a transitional living facility for 13 individuals (homeless program).	5000 W. National Av. A/K/A 4500 W National Av 10th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p>	
32	26969 Dimensional Variance	Wayne R. Keller, Property Owner  Request to construct an addition to the existing single car garage converting it into a two-car garage without the minimum required side setback (only the rear portion of the garage addition requires the variance).	3351 S. 52nd St. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
33	26907 Dimensional Variance	Anthony A. Latona, Property Owner  Request to allow a detached garage in the front yard setback.	3582 S. 57th St. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
34	26664 Dimensional Variance	St. John Evangelical Lutheran Church Property Owner  Request to replace the existing sign with a new monument sign that is over the maximum allowed sign area.	6802 W. Forest Home Av. A/K/A 4001 S 68th ST 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
35	26929 Use Variance	<p>Tapat Properties, LLC Midwest Community Service Inc.;Property Owner</p> <p>Request to continue occupying the premises as a transitional living facility for 8 individuals.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	<p>3126 S. 66th St. 11th Dist.</p>
36	26879 Use Variance	<p>Ace Cash Express, Inc., Lessee</p> <p>Request to continue occupying the premises as a payday loan, currency exchange, and title loan agency.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	<p>1302 W. Lincoln Av. A/K/A 2261 S. 13th St. 12th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	26895 Special Use	Valerie Daniels-Carter, Lessee  Request to raze the existing structure and construct a fast-food/carryout restaurant with a drive through facility.	175 W. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the Type A landscaping requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	26936 Special Use	Landmark Credit Union, Ron Kase;Prospective Buyer	4000 S. 27th St. 13th Dist.
		Request to occupy the permitted bank/financial institution with a drive through facility without the required minimum queue lane.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits, and that landscaping and screening is installed within 90 days of the approval of the landscape plan weather permitting.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	26947 Dimensional Variance	Diane Brickler, Property Owner  Request to raze the existing garage and construct a detached garage without the minimum required side setback.	2873 E. Rhode Island Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
40	26880 Special Use	Andre & James Carter, Lessee  Request to add a school (elementary or secondary) for 25 children operating from 7:00 a.m. - 3:30 p.m. Monday thru Friday to the existing day care center, for 52 children infant to 12 yrs. of age, open 6:00 a.m. - 10:00 p.m. Monday thru Friday (maximum of 77 children on site at one time).	3430 W. Center St. A/K/A 3432 W. Center St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That the previous condition of closing off the Center Street driveway and replacing with curb and gutter is completed prior to occupancy.</li> <li>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 14, 2007.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	26887 Special Use	Traci Conner, Lessee  Request to increase the number of children of the existing day care center from 16 to 49 children infant to 12yrs of age and increase the hours of operation from Monday-Friday 6:00 AM - 11:00 PM, Saturday 8:00 AM - 5:00 PM to 24hrs Monday-Sunday.	2664-74 N. 38th St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all conditions of the previous special use approval (case # 26069) are complied with.</p> <p>5. That the exception from the on-site play space requirement granted by the State of Wisconsin remains in effect.</p> <p>6. That the applicant applies for a new certificate of occupancy to have the building evaluated for the increased number of children.</p> <p>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	26759 Special Use	Albert C. Lue-Hing; West Indian American Assoc., V & T Day Care Center;Property Owner  Request to expand the existing day care center into the existing attached structure (old tavern) increasing the number of children from 70 to 85 children infant to 12yrs of age, and increase the hours of operation from Monday-Friday 6:00 AM-6:00 PM to Monday-Saturday 5:00 AM - 9:00 PM.	1710 N. 24th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
43	26910 Use Variance	<p>Waheedah al-Amin, Lessee</p> <p>Request to continue occupying a portion of the premises as a social service facility.</p> <p>Action:                   Granted 5 yrs.</p> <p>Motion:                 Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote:                    4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	<p>5150 N. 32nd St. 1st Dist.</p>
44	26914 Dimensional Variance	<p>Mason Temple Church of God in Christ Osie Tatum Jr.;Property Owner</p> <p>Request to construct a permitted religious assembly hall without the minimum required number of parking spaces.</p> <p>Action:                   Adjourned</p> <p>Motion:                 This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.</p>	<p>6090 N. 35th St. 1st Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	26730 Special Use	Stephania & Favion Henderson, Lessee  Request to occupy a portion of the premises as an elementary/secondary school for 145 students (Board approved day care already on site will be leaving the premises).	4248 N. 76th St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</p> <p>8. That the applicant obtain a loading zone in front of the premises on N. 76th Street.</p> <p>9. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	26926 Special Use	Ollie Mary Williams, Property Owner  Request to continue occupying the premises as a 24 hr. family day care home for 8 children per shift infant to 12 yrs of age, Monday - Sunday.	4959 N. Sherman Bl. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>5. That pick-up and drop-off of children does not occur in the alley.</li> <li>6. That there is no signage on the premises.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	26785 Use Variance	Ibrahim Mahmoud, Property Owner  Request to continue occupying the premises for the sale of stereo equipment and installations (electronic equipment and tires).	5040 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on June 8, 2005, and that landscaping and screening is installed within 90 days of Board approval of the special use weather permitting.</li> <li>5. That all installation work occur inside the building</li> <li>6. That there is no outdoor storage of tires, auto parts, junk or debris.</li> <li>7. That any testing of audio equipment and alarm systems must be conducted inside the building with overhead doors closed and at minimum amplification</li> <li>8. That there be no additional signage</li> <li>9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>10. That the applicant performs all equipment installation indoors.</li> <li>11. That the applicant does not permit any testing of equipment by staff or the public in the parking lot.</li> <li>12. That the applicant only tests equipment indoors with the doors closed.</li> <li>13. That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26959 Use Variance	William & Hazel L. Lockett, Lucinda Saxton, Prospective Buyer  Request to convert the existing structure (veterinarian clinic) into a single-family residential dwelling.	8758 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	26472 Special Use	Evaughn High; Grace Family Day Care School, No Middle Ground Worship Center; Lessee	6406 N. 76th St. A/K/A 6540 N. 76th St. 9th Dist.
		Request to occupy the premises as a religious assembly hall (Wednesday/Friday evenings & Sunday mornings), elementary/secondary school and day care center for 99 children, 6 wks. to 12 yrs. of age, Monday-Friday 6:00 AM - 6:00 PM.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the request to occupy the premises as a religious assembly hall. Seconded by Donald Jackson. 4 Aye, 0 Nay and 1 Abstain vote C. Zetley	
		Scott Winkler moved to deny both the day care and school. Seconded by Donald Jackson. Aye 3, 1 Nay C. Doyle and 1 Abstain vote C. Zetley.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That signage plans which meet the sign standards of the approved Master Sign Program for this premises must be submitted to the Board of Zoning Appeals and approved by the Zoning Administrative Group prior to the issuance of any permits.</li> <li>6. That the petitioner obtains an occupancy certificate and complies with current State commercial code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That no day care or school operate on the premises.</li> <li>8. That the plan of operation for the religious assembly facility, including the hours of operation, is adhered to in its entirety.</li> <li>9. That the Special Use to occupy the premises as a religious assembly hall is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
50	26957 Extension of Time	Daniel Mora, Property Owner  Request for an extension of time to comply with conditions of case No. 25999.	1505-19 S. Muskego Av. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	26640 Other	Randy Bryant, Property Owner  Request to modify the Board approved plans for the second principal dwelling unit on the premises(reducing size).	2022-24 E. Lafayette Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the re-hearing request. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
52	26713 Special Use	FB Properties Joint Venture A Wisconsin General Partnership/Towne Realty Inc.;Property Owner  Request to combine the parcels and expand the non-conforming surface parking lot.	215 W. Wells St. A/K/A 735 N 2nd St 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
53	26851 Special Use	FB Properties Joint Venture & Towne Realty INC., Property Owner  Request to continue occupying the premises as a surface parking lot.	746-52 N. Old World Third St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
54	26784 Special Use	Ashraf Salamel, Lessee  Request to occupy the premises as a fast-food/carry-out restaurant.	540 N. 27th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
55	26890 Special Use	Idelle Williams & Phyllis Sterling Lessee  Request to occupy a portion of the premises (1st floor) as a day care center for 50 children infant to 12 yrs. of age, 6:00 a.m. to 12:00 a.m. Monday thru Friday.	2627-31 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
56	26723 Special Use	Tandalisha Riley, Lessee  Request to occupy a portion of the premises (unit #3) as an adult family home for 4 adults (medically, mentally, & physically disabled).	4446 N. 84th St. 5th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
57	26731 Dimensional Variance	Duraina Wilder, Property Owner  Request to construct an attached garage with the garage door facing the street and within the front yard setback.	2134 N. Booth St. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	26814 Special Use	Cleon Suggs, Lessee  Request to occupy the premises as a group home for 8 males ages 13 - 17.	3702 N. 7th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
59	26843 Special Use	Wendell J. Harris, Lessee  Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, 6:00 a.m. - 10:00 p.m. Monday thru Sunday.	3134 N. 16th St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the Alderman and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	26912 Dimensional Variance	Rev. Darryl Williams, Property Owner  Request to erect a freestanding sign over the maximum allowed height and sign area.	1616 W. Atkinson Av. A/K/A 1636 W. Atkinson Av. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	26826 Special Use	Goodwill Industries of Southeastern Wisconsin Inc., Attn: Vickie L. Volpano; Prospective Buyer  Request to combine the lots and construct a second-hand store on the premises.	3908 N. Palmer St. A/K/A 3880 N Palmer St 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.  5. That landscaping and screening is implemented in accordance with the landscape plan submitted to the Board.  6. That glazing must meet the glazing standards of s295-605-i of the Milwaukee Zoning Code  7. That the petitioner take appropriate measures to insure that donated items do not accumulate outside the building.  8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
62	26448 Dimensional Variance	Gene Gokhman, Property Owner  Request to construct a 4 unit residential structure without the minimum required average front setback.	225 E. Lloyd St. A/K/A 219 E Lloyd St 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That an opaque fence be erected on site to separate the access drive from the abutting residence.</li> <li>5. That a screening plan, subject to review and approval by the Zoning Administration Group, be submitted within thirty (30) days of the date hereof.</li> <li>6. That this Variance is granted to run with the land.</li> </ol>	
63	26589 Special Use	Brian McDowell Sr., Property Owner  Request to occupy the premises as group home for 8 adolescent males (12-18 yrs. of age).	3301-03 N. 38th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available agenda.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
64	26692 Dimensional Variance	Jim Smith, Property Owner  Request to continue occupying the premises as an outdoor storage facility without the required landscaping and opaque fencing.	3330 W. Fond Du Lac Av. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
65	26804 Use Variance	Martha J. Wilson, Lessee  Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, 6:00 a.m. to 6:00 p.m. Monday thru Friday.	3700 W. Capitol Dr. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
66	26873 Dimensional Variance	Family Dollar, Carrie Reinemann;Other  Request to remove the existing sign and erect a new freestanding pylon sign over the allowed height.	5808 W. Hampton Av. 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	26938 Use Variance	Sallie Thomas, Property Owner  Request to occupy the premises as a day care center for 45 children infant to 12 yrs of age, Monday-Friday 6:30 AM - 6:00 PM.	4027 N. 38th St. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
68	26813 Special Use	Thomas & Denise Dale, Property Owner  Request to occupy the premises as an adult family home for 4 residents.	4207 N. 39th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
69	26699 Dimensional Variance	Jose G. Lopez, Prospective Buyer  Request to occupy the premises as a religious assembly without the minimum required number of parking spaces.	2023-25 S. Muskego Av. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.  5. That the storefront windows remain as clear glass and are maintained in an attractive manner.  6. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.  7. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
70	26793 Special Use	Rafael Lopez, Property Owner  Request to occupy the premises as a motor vehicle sales facility.	2934 W. Burnham St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the applicant and will be rescheduled at the next available hearing.	
71	26794 Special Use	Rafael Lopez, Property Owner  Request to occupy the premises as a motor vehicle sales facility (display lot for the proposed motor vehicle sales facility at 2934 W. Burnham St.).	2911 W. Burnham St. A/K/A 2917 W Burnham St 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	26850 Special Use	Marta E. Cordovez, Property Owner  Request to occupy the premises as a day care center for 30 children infant to 6yrs of age, Monday-Friday 7:00 AM - 6:00 PM.	1762 S. Muskego Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>8. That a loading zone be obtained in front of the premises on South Muskego Avenue.</li> <li>9. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
73	26757 Use Variance	Travis Academy, Dorothy Travis;Prospective Buyer  Request to occupy a portion of the premises as a secondary school.	8350 N. Steven Rd. A/K/A 8316 N Steven Rd 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.  5. That this Variance is granted for a period of three (3) years, commencing with the date hereof.	
74	26780 Dimensional Variance	Kevin & Shanda Johnikin, Property Owner  Request to construct a single-family dwelling without the minimum front facade width.	6742 N. 53rd St. 9th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	26819 Special Use	DJ Perkins Academy of Excellence Continuous Love Family Center; Lessee  Request to occupy a portion of the premises as a elementary/secondary school for 130 students, Monday-Friday 8:00 AM - 3:40 PM.	9155-57 N. 76th St. A/K/A 9127 N 76th St 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>7. That the petitioner obtains an occupancy certificate and complies with current State commercial building code for educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
76	26816 Special Use	Beverly Jones & Woodrow Jones Property Owner  Request to occupy the premises as a community based residential facility for 8 clients (handicapped & disabled).	2946 N. 57th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	26748 Dimensional Variance	St. Peter's Evangelical Lutheran Church Property Owner  Request to occupy the premises as an accessory parking lot for the adjacent religious assembly, with a fence over the maximum allowed height, and to allow a chain link fence(with slats).	731 W. Scott St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no slats or other opaque materials are used in that portion of the fence that is immediately adjacent to the east-abutting residential structure.</p> <p>5. That a revised site and screening plan, be submitted to and reviewed for approval by the Zoning Administrative Group, within 30 days of the date hereof.</p> <p>6. That these Variances are granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
78	26685 Dimensional Variance	Walter M. Carlson, Property Owner  Request to allow parking spaces in the front yard setback of the premises.	1413 S. 10th St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the project is implemented in accordance with the plans submitted to the Board of Zoning Appeals on July 25, 2005.</li> <li>5. That the parking area shall accommodate a maximum of two vehicles.</li> <li>6. That the petitioner paves the parking area with concrete or asphalt.</li> <li>7. That the area is not used for vehicle parking until the parking area is paved.</li> <li>8. That this Variance is granted to run with the land.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
79	26882 Dimensional Variance	Thomas J. Carloni & Ann Carloni Property Owner  Request to raze the existing garage and to construct a new detached garage that is over the maximum allowed square footage and does not meet the minimum required side yard setback.	2559 S. Austin St. 14th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That these Variances are granted to run with the land.	
80	26705 Special Use	Mrs. Cheryl Banks, Property Owner  Request to occupy the premises as a community living arrangement for 7 residents.	2466 N. Teutonia Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
81	26769 Special Use	Joe Flippin, Property Owner  Request to occupy the premises as a religious assembly.	1811 W. Center St. A/K/A 1801 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
82	26875 Special Use	New Village, LLC, Optionee  Request to construct a community center on the premises.	1626 W. Center St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
83	26677 Special Use	Transitional Living Services Inc., Property Owner  Request to continue occupying the premises as a community based residential facility for 12 adult males.	2466-68 N. 50th St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
84	26500 Special Use	Paula Blan-Nash & Alexander Nash Property Owner  Request to occupy the premises as a community living arrangement for 10-12 teen mothers, ages 13 - 19(including their children).	2245 N. 24th Pl. A/K/A 2239 N. 24th Pl. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant submits plans to the Milwaukee Development Center, obtains all necessary permits and complies with all State commercial building code and zoning code requirements for residential occupancies for residential prior to occupancy.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
85	26787 Special Use	Asem Zaid, Lessee  Request to combine the parcels and occupy the premises as a motor vehicle sales and repair facility.	4210 W. Silver Spring Dr. A/K/A 4218 W Silver Spring Dr 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, a 6-foot high opaque wood fence is required along the northern property line as a residential buffer.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>8. That all repair work is conducted inside of the building.</p> <p>9. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
86	25245 Special Use	Curtis Nealey, Lessee  Request to continue to occupy the premises as a car wash and motor vehicle repair facility (tire repair).	4325 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
87	26061 Special Use	Jimmy & Iola McClendon, Property Owner  Request to occupy the premises as a transitional living facility for 16 males.	4355 N. 27th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
88	26060 Special Use	Jimmy McClendon, Property Owner  Request to occupy the premises as a transitional living facility for 16 female clients.	4339 N. 27th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
89	26694 Dimensional Variance	Jim Smith, Property Owner  Request to continue occupying the premises as an outdoor storage facility without the required opaque fencing.	7240 W. Douglas Av. A/K/A 7216 W Douglas Av 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
90	26839 Appeal of an Order	Reuben M. Katz & Marcia M. Katz Property Owner  Request to appeal an order issued by the Department of Neighborhood Services determining that the landscaping/ screening provided on site does not meet code (stockpiles are in excess of what code allows given amount of screening/ landscaping on site).	9000 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
91	26899 Appeal of an Order	Tom and Nancy Nebel, Property Owner  Request to appeal an ordered issued by the Department of Neighborhood Services determining that the premises does not have the proper perimeter landscaping and edge treatments according to sec. 295-405.	5956 N. 91st St. A/K/A 6000 N 91st St 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
92	26644 Special Use	Frederick & Roshelle Rutledge, Property Owner  Request to continue occupying the premise as a day care center for 55 children, 24hrs. Monday-Friday, 6:00am-5:00pm Saturday, and 10:00 pm-6:00 am Sunday.  Action: Granted 4 yrs.  Motion: Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That there be no increase in area or height to the existing freestanding signage and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.  5. That all previous conditions of the Board regarding this property are complied with.  6. That this Special Use is granted for a period of four (4) years, commencing with the date hereof.	5629 N. 91st St. 2nd Dist.
93	26603 Special Use	Evelyn B. Patterson, Property Owner  Request to occupy the premises as a community living arrangement for 12 individuals (elderly, developmentally disabled).  Action: Adjourned  Motion: This matter was adjourned by the applicant and will be rescheduled for the next available agenda.	5405-09 W. Capitol Dr. 2nd Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
94	26637 Use Variance	Rashell M. Gladney, Other  Request to occupy the premises as a 24 hr. day care center for 8 children infant to 12yrs of age, Monday-Sunday.	4437 N. 64th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
95	26892 Dimensional Variance	Mark L. Rasmussen, Property Owner  Request to re-affirm the plans of the Board approved addition to the existing tavern to construct the facility without the minimum code required north side setback and over the maximum allowable lot coverage.	1501 N. Jackson St. A/K/A 1503 N Jackson St 3rd Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That these Variances are granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
96	26935 Special Use	Pat & Paul Haislmaier Trust, Property Owner  Request to modify the Board approved 3 story side addition for the existing office building (change is an increase of the foot print from 17 ft. 8in. x 22 ft. 10 in. to 17 ft. 10 in. x 31 ft. 4 in., in addition to two balconies 7 ft. wide on the 2nd & 3rd floors, no increase in building height).	1042 E. Juneau Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 18, 2012.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
97	26828 Special Use	Troy Borgen, Lessee  Request to occupy the premises as a motor vehicle repair facility.	909 E. Locust St. A/K/A 2872 N Bremen St 3rd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That a revised landscape and screening plan that includes a decorative metal fence along the E. Locust Street frontage is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>10. That the petitioner submit a rendering of the fence subject to the review and approval of the Zoning Administrative Group.</li> <li>11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
98	26849 Dimensional Variance	James & Suzanne Holton, Property Owner  Request to divide the parcel and construct a single family dwelling with an access drive partially located on the adjoining lot.	2115 E. Lafayette Pl. A/K/A 2105 E Lafayette Pl 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Winkler moved to approve the minutes of the July 28, 2005 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for October 6, 2005.

Board member Winkler moved to adjourn the meeting at 8:05 p.m.. Seconded by Board member Szymanski. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board



<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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